



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

David BOTSTEIN, et al.

Application Serial No. 09/989,721

Filed: November 19, 2001

For: **NUCLEIC ACIDS ENCODING PRO809**

) Examiner: Spector, Lorraine

) Art Unit: 1647

) Confirmation No. 2434

) Attorney's Docket No. 39780-2730 P1C55

) Customer No. 35489

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

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Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If Form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with M.P.E.P. §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

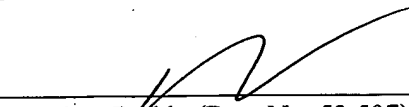
- ☐ a certification as specified in §1.97(e) is provided below; or
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☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$0.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2730 P1C55).**

Respectfully submitted,

By: 
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Dated: July 5, 2006

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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO

OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

Examiner Initials	Ref. No.	Title
	1.	Abe, N., et al., "An Increased High-Mobility Group A2 Expression Level is Associated with malignant Phenotype in Pancreatic Exocrine Tissue," <i>Br J Cancer</i> - 89(11):2104-9 (2003) Abstract.
	2.	Ando, M., et al., "Selective Apoptosis of Natural Killer-Cell Tumours by L-Asparaginase," <i>Br J Haematol.</i> - 130(6):860-8 (2005) Abstract.
	3.	Aust, G., et al., "Human Thyroid Carcinoma Cell Lines and Normal Thyrocytes: Expression and Regulation of Matrix Metalloproteinase Inhibitor-1 Messenger-RNA and Protein," <i>Thyroid</i> - 7(5):713-24 (1997) Abstract.
	4.	Barnes, V.L., et al., "Expression of Embryonic Fibronectin Isoform EIIIA Parallels Alpha-Smooth Muscle Actin in Maturing and Diseased Kidney," <i>J Histochem Cytochem.</i> - 47(6):787-98 (1999) Abstract.
	5.	Bea, S., et al., "BMI-1 Gene Amplification and Overexpression in Hematological Malignancies Occur Mainly in Mantle Cell Lymphomas," <i>Cancer Res.</i> - 61(6):2409-12 (2001) Abstract.
	6.	Blaschke, V., et al., "Rapid Quantitation of Proinflammatory and Chemoattractant Cytokine Expression in Small Tissue Samples and Monocyte-Derived Dendritic Cells: Validation of a New Real-Time RT-PCR Technology," <i>J Immunol Methods.</i> - 246(1-2):79-90 (2000) Abstract.
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	8.	Caberlotto, L., et al., "Alterations in Neuropeptide Y Levels and Y1 Binding Sites in the Flinders Sensitive Line Rats, A Genetic Animal Model of Depression," <i>Neurosci Lett.</i> - 265(3):191-4 (1999) Abstract.
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	10.	Choi, D., et al., "Characterization of Cyclin D2 Expression in Human Endometrium," <i>J Soc Gynecol Investig.</i> - 9(1):41-6 (2002) Abstract.
	11.	Couvelard, A., et al., "Human Chorionic Gonadotrophin Beta Expression in Malignant Barrett's Oesophagus," <i>Virchows Arch.</i> - 445(3):279-84 (2004) Abstract.
	12.	Dagenais, A., et al., "Downregulation of EnaC Activity and Expression by TNF-Alpha in Alveolar Epithelial Cells," <i>Am J, Physiol Lung Cell Mol Physiol.</i> - 286(2):L301-11 (2004) Abstract.
	13.	De Boer, C.J., et al., "Involvement of the CCND1 Gene in Hairy Cell Leukemia," <i>Ann Oncol.</i> - 7(3):251-6 (1996) Abstract.
	14.	Debieve, F., et al., "Inhibin and Activin Production and Subunit Expression in Human Placental Cells Cultured in Vitro," <i>Mol Hum Reprod.</i> - 6(8):743-9 (2000) Abstract.
	15.	Dong, Z., et al., "Expression of Membrane-Type Matrix Metalloproteinases 4, 5, and 6 in Mouse Corneas Infected with P. Aeruginosa," <i>Invest Ophthalmol Vis Sci</i> - 42(13):3223- (2001) Abstract.

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OTHER DOCUMENTS (including author, title, date, pertinent pages, etc.)			
16.	Duchrow, M., et al., "Assessment of Proliferative Activity in Colorectal Carcinomas by Quantitative Reverse Transcriptase-Polymerase Chain Reaction (RT-PCR)," <i>Cancer Invest.</i> - 19(6):588-96 (2001) Abstract.		
17.	Dyer, J., et al., "Molecular Characterisation of Carbohydrate Digestion and Absorption in Equine Small Intestine," <i>Equine Vet J.</i> - 34(4):349-58 (2002) Abstract.		
18.	Egwuagu, C.E., et al., "Suppressors of Cytokine Signaling Proteins are Differentially Expressed in Th1 and Th2 Cells: Implications for Th Cell Lineage Commitment and Maintenance," <i>J Immunol.</i> - 168(7):3181-7 (2002) Abstract.		
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21.	Forsberg, H., et al., "Altered Levels of Scavenging Enzymes in Embryos Subjected to a Diabetic Environment," <i>Free Radic Res.</i> - 24(6):451-9 (1996) Abstract.		
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23.	Fu, K., et al., "Cyclin D1-Negative Mantle Cell Lymphoma: A Clinocopathologic Study Based on Gene Expression Profiling," <i>Blood</i> - 106(13):4315-21 (2005) Abstract.		
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25.	Furuta, J., et al., "Silencing of the Thrombomodulin Gene in Human Malignant Melanoma," <i>Melanoma Res.</i> - 15(1):15-20 (2005) Abstract.		
26.	Futcher, B., et al., "A Sampling of the Yeast Proteome," <i>Mol Cell Biol.</i> , - 19(11):7357-68 (1999) Abstract.		
27.	George, J., et al., "Pre-translational Regulation of Cytochrome P450 Genes is Responsible for Disease-Specific Changes of Individual P450 Enzymes Among Patients with Cirrhosis," <i>Biochem Pharmacol.</i> - 49(7):873-81 (1995) Abstract.		
28.	Giroux, M., et al., "Cyclooxygenase-2 Expression in Macrophages: Modulation by Protein Kinase C-alpha," <i>J Immunol.</i> - 165(7):3985-91 (2000) Abstract.		
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32.	Golebiowski, F., et al., "Expression Level of Ubc9 Protein in Rat Tissues," <i>Acta Biochim Pol.</i> - 50(4):1065-73 (2003) Abstract.		
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34.	Grenback, E., et al., "Galanin Pituitary Adenomas," <i>Regul Pept.</i> - 117(2):127-39 (2004) Abstract.		
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36.	Guo, Y., et al., "The Pathogenic Role of Macrophage Migration Inhibitory Factor in Acute Respiratory Distress Syndrome," <i>Zhinghua Jie He He Hu Xi Za Zhi</i> - 25(6):337-40 (2002) Abstract.		

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	37.	Habu, Y., et al., "Restored Expression and Activity of Organic Ion Transporters rOAT1, rOAT3 and rOCT2 after Hyperuricemia in the Rat Kidney," <i>Biochem Pharmacol</i> - 69(6):993-9 (2005) Abstract.	
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	39.	Hahnel, R., et al., "Expression of the pS2 Gene in Breast Tissues Assessed by pS2-mRNA Analysis and pS2-Protein Radioimmunoassay," <i>Breast Cancer Res Treat.</i> - 24(1):71-4 (1992) Abstract.	
	40.	Hamilton, L.M., et al., "The role of the Epidermal Growth Factor Receptor in Sustaining Neutrophil Inflammation in Severe Asthma," <i>Clin Exp Allergy</i> - 33(2):233-40 (2003) Abstract.	
	41.	Hassett, C., et al., "Human Hepatic Microsomal Epoxide Hydrolase: Comparative Analysis of Polymorphic Expression," <i>Arch Biochem Biophys</i> - 337(2):275-83 (1997) Abstract.	
	42.	Holten-Andersen, M.N., et al., "Localization of Tissue Inhibitor of Metalloproteinases 1 (TIMP-1) in Human Colorectal Adenoma and Adenocarcinoma," <i>Int J Cancer</i> - 113(2):198-206 (2005) Abstract.	
	43.	Huang, Y.H., et al., "Tissue Plasminogen Activator Induced by Dengue Virus Infection of Human Endothelial Cells," <i>J Med Virol</i> - 70(4):610-6 (2003) Abstract.	
	44.	Huettnner, P.C., et al., "Neu Oncogene Expression in Ovarian Tumors: A Quantitative Study," <i>Mod Pathol</i> - 5(3):250-6 (1992) Abstract.	
	45.	Hui, P., et al., "Real-time Quantitative RT-PCR of Cyclin D1 mRNA in Mantle Cell Lymphoma: Comparison with FISH and Immunohistochemistry," <i>Leuk Lymphoma</i> - 44(8):1385-94 (2003) Abstract.	
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	47.	Ihmann, T., et al., "High-level mRNA Quantification of Proliferation Marker pKi-67 is Correlated with Favorable Prognosis in Colorectal Carcinoma," <i>J Cancer Res Clin Oncol.</i> - 130(12):749-56 (2004) Abstract.	
	48.	Ikegami, T., et al., "Modulation of Glucagon Receptor Expression and Response in Transfected Human Embryonic Kidney Cells," <i>Am J Physiol Cell Physiol.</i> - 281(4):C1396-402 (2001) Abstract.	
	49.	Jacquemin, E., et al., "Developmental Regulation of Acidic Fibroblast Growth Factor (aFGF) Expression in Bovine Retina," <i>Int J Biol.</i> - 37(3):417-23 (1993) Abstract.	
	50.	Jaime, M., et al., "The p21 (Cip1) Protein, A Cyclin Inhibitor, Regulates the Levels and the Intracellular Localization of CDC25A in Mice Regenerating Livers," <i>Hepatology</i> - 35(5):1063-71 (2002) Abstract.	
	51.	Janssens, N., et al., "Alteration of Frizzled Expression in renal Cell Carcinoma," <i>Tumour Biol.</i> - 25(4):161-71 (2004) Abstract.	
	52.	Jungbluth, A.A., et al., "Immunohistochemical Analysis of NY-ESO-1 Antigen Expression in Normal and Malignant Human Tissues," <i>Int J. Cancer</i> - 92(6):856-60 (2001) Abstract.	
	53.	Kalabis, G.M., et al., "Multidrug Resistance Phosphoglycoprotein (ABCB1) in the Mouse Placenta: Fetal Protection," <i>Biol Reprod.</i> - 73(4):591-7 (2005) Abstract.	
	54.	Kammaori, M., et al., "Expression of Human Telomerase Reverse Transcriptase Gene and Protein, and of Estrogen and Progesterone Receptors, in Breast Tumors: Preliminary Data from Neo-Adjuvant Chemotherapy," <i>Int J Oncol.</i> - 27(5):1257-63 (2005) Abstract.	
	55.	Khal, J., et al., "Expression of the Ubiquitin-Proteasome Pathway and Muscle Loss in Experimental Cancer Cachexia," <i>Br J Cancer</i> - 93(7):774-80 (2005), Abstract.	
	56.	Khal, J., et al., "Increased Expression of Proteasome Subunits in Skeletal Muscle of Cancer Patients with Weight Loss," <i>Int J. Biochem Cell Biol.</i> - 37(10):2196-206 (2005) Abstract.	

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57.	Kogo, H., et al., "Cell Type-Specific Occurrence of Caveolin-1alpha and -1beta in the Lung caused by Expression of Distinct mRNAs," <i>J Biol Chem.</i> - 279(24):25574-81 (2004) Abstract.		
58.	Kommoss, F., et al., "Oncogene and Growth Factor Expression in Ovarian Cancer," <i>Acta Obstet Gynecol Scand Suppl.</i> - 155:19-24 (1992) Abstract.		
59.	Kumar, U., et al., "Somatostatin Receptors in Primary Human Breast Cancer: Quantitative Analysis of mRNA for Subtypes 1-5 and Correlation with Receptor Protein Expression and Tumor Pathology," <i>Breast Cancer Res. Treat.</i> - 92(2):175-86 (2005) Abstract.		
60.	Kuo, C.C., et al., "A Transcriptomic and Proteomic Analysis of the Effect of CpG-ODN on Human THP-1 Monocytic Leukemia Cells," <i>Proteomics</i> - 5(4):894-906 (2005) Abstract.		
61.	Landmark, B.F., et al., "Cellular Location and Age-dependent Changes of the regulatory Subunits of cAMP-dependent Protein Kinase in Rat Testis," <i>J Reprod Fertil.</i> - 99(2):323-34 (1993) Abstract.		
62.	Lassmann, S., et al., "Quantification of CK20 Gene and Protein Expression in Colorectal Cancer by RT-PCR and Immunohistochemistry Reveals Inter- and Intratumour Heterogeneity," <i>J Pathol.</i> - 198(2):198-206 (2002) Abstract.		
63.	Legrand, O., et al., "Expression of the Multidrug Resistance-Associated Protein (MRP) mRNA and Protein in Normal Peripheral Blood and Bone Marrow Haemopoietic Cells," <i>Br J, Haematol.</i> - 94(1):23-33 (1996) Abstract.		
64.	Lemstrom, K.B., et al., "Vascular Endothelial Growth Factor Enhances Cardiac Allograft Arteriosclerosis," <i>Circulation</i> - 105(21):2524-30 (2002) Abstract.		
65.	Li, Z.B., et al., "Enhanced Expressions of Arachidonic Acid-Sensitive Tandem-Pore Domain Potassium Channels in Rat Experimental Acute Cerebral Ischemia," <i>Biochem Biophys Res Commun.</i> - 327(4):1163-9 (2005) Abstract.		
66.	Li, Y., et al., "Retinal Preconditioning and the Induction of Heat-Shock Protein 27," <i>Invest Ophthalmol Vis Sci.</i> - 44(3):1299-304 (2003) Abstract.		
67.	Lindberg, P., et al., "Increasing Expression of Tissue Plasminogen Activator and Plasminogen Activator Inhibitor Type 2 in Dog Gingival Tissues with Progressive Inflammation," <i>Arch Oral Biol.</i> - 46(1):23-31 (2001) Abstract.		
68.	Macabeo-Ong, M., et al., "Effect of Duration of Fixation on Quantitative Reverse Transcription Polymerase Chain Reaction Analyses," <i>15(9):979-87</i> (2002) Abstract.		
69.	Maruyama, H., et al., "Id-1 and Id-2 are Overexpressed in Pancreatic Cancer and in Dysplastic Lesions in Chronic Pancreatitis," <i>Am J Pathol.</i> - 155(3):815-22 (1999) Abstract.		
70.	Meehan, T.P., et al., "Tightly Regulated and Inducible Expression of a Yoked Hormone-Receptor Complex in HEK 293 Cells," <i>J Mol Endocrinol.</i> - 32(1):247-55 (2004) Abstract.		
71.	Mendoza-Rodriguez, C.A., et al., "C-fos and Estrogen Receptor Gene Expression Pattern in the Rat Uterine Epithelium During the Estrous Cycle," <i>Mol Reprod Dev.</i> 64(4):379-88 (2003) Abstract.		
72.	Meoni, P., et al., "[3H]MK-801 Binding and the mRNA for the NMDAR1 Subunit of the NMDA Receptor are Differentially Distributed in Human and Rat Forebrain," <i>Brain Res Mol Res.</i> - 54(1):13-23 (1998) Abstract.		
73.	Mezzano, S.A., et al., "Overexpression of Chemokines, Fibrogenic Cytokines, and Myofibroblasts in Human Membranous Nephropathy," <i>Kidney Int.</i> - 57(1):147-58 (2000) Abstract.		
74.	Mingrone, G., et al., "Decreased Uncoupling Protein Expression and Intramyocytic Triglyceride Depletion in Formerly Obese Subjects," <i>Obes Res.</i> - 11(5):632-40 (2003) Abstract.		
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76.	Mizrachi, D., et al., "Follicle-stimulating Hormone Receptor and Its Messenger Ribonucleic Acid are Present in the Bovine Cervix and Can Regulate Cervical Prostanoid Synthesis," <i>Biol Reprod.</i> - 61(3):776-84 (1999) Abstract.		
77.	Monaghan, P., et al., "The Alpha(v)beta6 Integrin Receptor for Foot-and-Mouth Disease Virus is Expressed Constitutively on the Epithelial Cells Targeted in Cattle," <i>J Gen Virol.</i> - 86(Pt 10):2769-80 (2005) Abstract.		

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78.	Montuori, N., et al., "Urokinase-Mediated Posttranscriptional Regulation of Urokinase-Receptor Expression in Non Small Cell Lung Carcinoma," <i>Int J Cancer</i> - 105(3):353-60 (2003) Abstract.		
79.	Munaut, C., et al., "Vascular Endothelial Growth Factor Expression Correlates with Matrix Metalloproteinases MT1-MMP, MMP-2 and MMP-9 in Human Glioblastomas," <i>Int J Cancer</i> - 106(6):848-55 (2003) Abstract.		
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81.	Nuciforo, P.G., et al., "Molecular and Immunohistochemical Analysis of HER2/neu Oncogene in Synovial Sarcoma," <i>Hum Pathol.</i> - 34(7):639-45 (2003) Abstract.		
82.	Oberringer, M., et al., "Differential Expression of Heat Shock Protein 70 in Well Healing and Chronic Human Wound Tissue," <i>Biochem Biophys Res Commun.</i> - 214(3):1009-14 (1995) Abstract.		
83.	Orntoft, T.F., et al., "Genome-wide Study of Gene Copy Numbers, Transcripts, and Proteins Levels in Pairs of Non-invasive and Invasive Human Transitional Cell Carcinomas," <i>Mol Cell Proteomics.</i> - 1(1):37-45 (2002) Abstract.		
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